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11 *Attorneys for Defendants*
HYNIX SEMICONDUCTOR INC. and
12 HYNIX SEMICONDUCTOR AMERICA INC.

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 In re DYNAMIC RANDOM ACCESS
17 MEMORY (DRAM) ANTITRUST
18 LITIGATION

19 This Document Relates to:

20 STATE OF NEW YORK,

21 Plaintiff

22 v.

23 MICRON TECHNOLOGY, INC., et
24 al.,

25 Defendants.

Master File No. M-02-1486 PJH
MDL. No. 1486
Case No. C 06-6436 PJH

Assigned for all purposes to the
Hon. Phyllis J. Hamilton

**STIPULATION AND [PROPOSED]
ORDER REGARDING PROCEDURES
GOVERNING EXPERT DISCOVERY**

1 Plaintiff the State of New York and Defendants agree as follows regarding the time
2 and scope of any expert discovery in this case:

3
4 1. Within 3 business days of any party serving any expert reports and/or expert
5 declarations in this case pursuant to Fed. R. Civ. P. 26(a)(2)(B), the party or parties
6 proffering the expert witness shall produce all other documents and/or information
7 required by Rule 26(a)(2)(B), namely “the data or other information considered by the
8 witness in forming the [expert's] opinions; any exhibits to be used as a summary of or
9 support for the opinions; the qualifications of the witness, including a list of all
10 publications authored by the witness within the preceding ten years; the compensation to
11 be paid for the study and testimony, and a listing of any other cases in which the witness
12 has testified as an expert at trial or by deposition within the preceding four years.”

13 “(D)ata or other information considered” shall include, but is not limited to, raw data,
14 spreadsheets, computerized regression analyses and/or other underlying reports and
15 schedules sufficient to reconstruct the expert's work, calculations, and/or analyses.
16 Information can be produced electronically (via email or disc) where appropriate. Where
17 documents have previously been produced as part of the discovery in this case, a list of
18 such documents by Bates number is sufficient. As to other documents considered by the
19 expert, those documents should be produced except where widely available publicly
20 without undue expense (such as on the internet, or in major university libraries).

21
22 2. The following types of information shall not be the subject of discovery: (1)
23 the content of communications among and between: (a) counsel and experts; (b) experts
24 and other experts or consultants; and/or (c) experts and their respective staffs, and (2)
25 notes, drafts, written communications or other types of preliminary work created by, or
26 for, experts. The foregoing exclusions from discovery will not apply to any
27 communications or documents upon which the experts rely as a basis for their
28 opinions/reports.

3. This Stipulation shall be effective only upon agreement of both Plaintiff and the Defendants.

Dated: October 25, 2007

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*Attorneys for Hynix Semiconductor Inc.
and Hynix Semiconductor America Inc.
and, for purposes of this stipulation only,
signing on behalf of all other defendants*

[Proposed] Order

Pursuant to the Stipulation of the parties, the Court hereby orders that the attached stipulation regarding procedures governing expert discovery is hereby GRANTED.

IT IS SO ORDERED.

Dated: October 26, 2007



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